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February 22, 2008

Mr. David T. Maloof  
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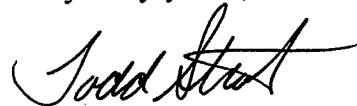
VIA E-MAIL

Re: *Underwriters, et al. v. TMC*

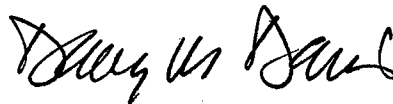
Dear Mr. Maloof:

Please be advised that we have filed a Complaint for Declaratory Relief in the United States District Court for the Northern District of Illinois against the 12 insurance companies for whom you have asserted claims against TMC Transportation Company. We will be sending you service copies along with a FRCP Rule 4 request to waive service shortly. As you will see, the subject matter of the Complaint is the same as that for which you have sought to compel TMC into mediation through the American Arbitration Association. Accordingly, TMC will not be participating in the mediation which you have scheduled for March 4, 2008, nor are they subject to any other mediation proceedings or arbitration proceedings in connection with this matter.

Very truly yours,



Todd A. Strother



Denny M. Dennis

TAS/DMD/lca

cc: Hilda Ibarra (Via E-Mail)

